

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA ARIAS MANCHA, ET AL.,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC.,

Defendants.

Case No. 1:22-cv-01161-AWI-CDB

**ORDER GRANTING PLAINTIFF LEAVE  
TO FILE A SECOND AMENDED  
COMPLAINT PURSUANT TO FRCP  
15(a)(2)**

(ECF No. 15)

**DIRECTING CLERK OF COURT TO  
UPDATE DOCKET TO REFLECT  
WITHDRAWAL OF PENDING MOTION**

(ECF No. 12)

Pending before the Court is the parties' Stipulation and Proposed Order for Leave to File Second Amended Complaint, filed February 20, 2023, in which the parties also agree to the withdrawal of Defendant's pending Motion for Judgment on the Pleadings. (ECF No. 15).

Where a party seeks to amend her complaint more than 21 days after an adverse party has responded, the party must first obtain the adverse party's consent or leave of court. Fed. R. Civ. P. 15(a)(1) & (2). The Court concludes based on the parties' stipulation that good cause warrants extending to Plaintiffs leave to amend their complaint in the manner proposed.

In submitting any future stipulations, motions or other applications for an order of the Court, the parties' counsel are referred to and directed to comply with Local Rule 137(b) (requiring all proposed orders to be emailed by the filer to chambers).

1 Accordingly, it is HEREBY ORDERED:

2 1. Plaintiffs shall file any Second Amended Complaint no later than March 2, 2023.

3 2. Defendants shall file its response to the Second Amended Complaint within 14

4 days of its filing.

5 FURTHER, the Clerk of Court is HEREBY DIRECTED to update the docket to reflect

6 Defendant's withdrawal of its Motion for Judgment on the Pleadings. (ECF No. 12).

7 IT IS SO ORDERED.

8 Dated: February 23, 2023

  
UNITED STATES MAGISTRATE JUDGE

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